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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**BENJAMIN MCCORMICK,**

Plaintiff,

vs.

**BUREAU OF LAND MANAGEMENT,**

Defendant.

Case No. 3:15-cv-01363-MO

**PLAINTIFF'S ELEVENTH STATUS  
REPORT**

Pursuant to the Court's July 16, 2018 Scheduling Order (Dkt. 33), Plaintiff provides the following status of the related underlying case, *Benjamin McCormick v. State of Oregon*, Court of Appeals for the State of Oregon, Case No. A159931:

1. **Opening Brief Filed:** December 8, 2015.
2. **Answering Brief Filed:** March 8, 2016.
3. **Reply Brief Filed:** May 24, 2016.
4. **Oregon Court of Appeals Oral Argument:** October 11, 2016.
5. **Additional Authorities Filed:** on or about November 22, 2016.

6. **OTHER:** The Oregon Court of Appeals issued its opinion in Mr. McCormick's favor on August 1, 2018 reversing the ruling of the circuit court and remanding the case for further litigation and trial. The State of Oregon has since filed a petition for review with the Oregon Supreme Court, which has yet to decide whether or not that petition will be granted. However, it is anticipated that the Oregon Supreme Court will ultimately take this matter up for consideration.

If the Court needs any further information as to the above, counsel for Plaintiff would be happy to provide it.

Dated: October 16, 2018.

DWYER WILLIAMS CHERKOSS  
ATTORNEYS, P.C.

By: s/ Tim Williams  
Tim Williams, OSB No. 034940  
Of Attorneys for Plaintiff  
Trial Attorneys: Same